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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 10/047,198
Filing Date October 26, 2001
Inventor Gilbert, et al.
Assignee Pyrotek, Inc.
Group Art Unit 3745
Examiner Not yet assigned
Attorney's Docket No. PY2-023
Title: Molten Metal Pump Particle Passage System

TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Assistant Commissioner for Patents
Washington, D.C. 20231

From: Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828
Telephone: (509) 624-4276
Fax: (509) 838-3424
Customer No.: 021567

Enclosed are:

1. PTO Return Postcard Receipt
2. Transmittal Letter
3. Petition for Determination that Figures 11 and 12, Sheet 6 of 8, was Received by the U.S. PTO
4. Sheet 6 of 8 including Figures 11 and 12
5. Declaration of Omitted Items, including true copies of: postcard receipt, Express Mail receipt, Ex Post Declaration of Express Mailing
6. Response to Notice of Omitted Item(s)
7. Copy of Notice of Omitted Item(s)
8. Check # 134650 for \$130.00

☐ Small Entity Status is claimed.

☒ Large Entity Status Applies.

Deposit Account Authorization - The Commissioner is hereby authorized to charge payment of fees or credit overpayment to Deposit Account No. 23-0925 in connection with: any patent application processing fees under 37 CFR 1.17; and any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Date: 4/17/02

By: Mark W. Hendricksen
Mark W. Hendricksen
Reg. No. 32,356



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Title: Molten Metal Pump Particle Passage System .

RESPONSE TO NOTICE OF OMITTED ITEM(S)

To: Assistant Commissioner for Patents
Washington, D.C. 20231

From: Mark W. Hendricksen (Tel. 509-624-4276; Fax 509-838-3424)
Wells, St. John, Roberts, Gregory & Matkin P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

RECEIVED

MAY 31 2002

OFFICE OF PETITIONS

The Patent Office has indicated that Figures 7, 11 and 12 have been omitted from the application and has mailed a Notice of Omitted Item(s) in accordance therewith. Applicant responds by submitting that Figure 7 was in fact omitted and is not present in the drawings. There was a mis-numbering of the figures, and the drawings provided skipped Figure 7, going from Figure 6 to Figure 8. With respect to Figures 11 and 12, the applicant submits that Figures 11 and 12 were in fact submitted with the application, and in accordance with the Notice of Omitted Item(s), applicant is submitting herewith a copy of this Notice and a Petition with evidence of such deposit.


Accordingly, the applicant requests that the Petition fee be refunded once the U.S. PTO determines that the items were received by the U.S. PTO.

Applicant will be making a Preliminary Amendment to the figure numbers to accurately reflect the figures and coordinate them with the description in the specification and the numbered items contained therein.



Dated: 4/17/02

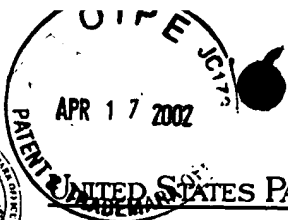
Respectfully submitted,

By: 
Mark W. Hendricksen
Reg. No. 32,356

RECEIVED

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OFFICE OF PETITIONS



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/047,198	10/26/2001	Ronald E. Gilbert	PY2-023

021567
WELLS ST. JOHN P.S.
601 W. FIRST
SUITE 1300
SPOKANE, WA 99201-3828

CONFIRMATION NO. 4193

FORMALITIES LETTER



OC000000007750800

Date Mailed: 03/29/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 7,11,12 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

B. Haddewold

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY